

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS

LUFKIN DIVISION

EDUARDO HERNANDEZ

§

V.

§

CIVIL ACTION NO. 9:07CV167

DIRECTOR, TDCJ-CID

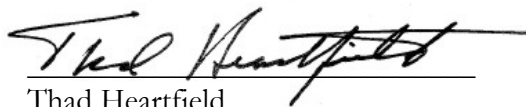
§

ORDER OF DISMISSAL

Came on for consideration the above-referenced civil action, this Court having heretofore ordered that this matter be referred to the United States Magistrate Judge for proper consideration. Having received the report of the United States Magistrate Judge pursuant to its order, and no objections thereto having been timely filed, this Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct, and adopts same as the findings and conclusions of the Court. It is therefore,

**ORDERED** that Petitioner's motion to dismiss (docket #3) is hereby **GRANTED** and the above-styled case shall be and is hereby **DISMISSED** without prejudice from the docket of this Court. All motions by either party not previously ruled on are hereby **DENIED**.

**SIGNED** this the 28 day of **August, 2007**.

A handwritten signature in black ink, appearing to read "Thad Heartfield", written over a horizontal line.

Thad Heartfield  
United States District Judge